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FEB - 5 2008

CLERK U.S. DISTRICT COURT SOUTHERN DISTRICT OF CALFORNIA DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

V.

Title 8, U.S.C., Sec. 1326(a) and (b) - Deported Alien Found in the United States

Defendant.

The United States Attorney charges:

On or about January 2, 2008, within the Southern District of California, defendant JESUS MARROQUIN-FRIAS, an alien, who previously had been excluded, deported and removed from the United States to Mexico, was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission to the United States; in violation of Title 8, United States Code, Section 1326(a) and (b).

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CJB:es:San Diego 01/14/2008

It is further alleged that defendant JESUS MARROQUIN-FRIAS was removed from the United States subsequent to January 21, 1987.

DATED: February 5, 2008

KAREN P. HEWITT United States Attorney

CARLA J. BRESSLER Assistant U.S. Attorney